IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 163/2001

SMT. TRIVENI DEVI SHARMA Vs. STATE OF RAJ. & ANR.

DATE: 02.05.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. R.K. Daga for the complainant-petitioner.
Mr. B.K. Sharma, Public Prosecutor for the State.
Mr. Mahesh Gupta for the respondent No.2.

****

The instant criminal revision petition under Section 397 r/w Section 401 Cr.P.C. is preferred by the complainant-petitioner against the order dated 25.01.2001 passed by the Additional Civil Judge (Jr. Division) & Judicial Magistrate No.9, Jaipur City, Jaipur in Criminal Case No. 329/97, whereby the Court below has discharged the accused-respondent No.2 Surendra Kumar Gyani from the offence under Sections 420 and 406 IPC, whereas the Court below has framed charge against accused Harinarayan Saini for the offence under Sections 420 and 406 IPC.

Aggrieving and dissatisfying with the said order of the trial Court dated 25.01.2001 to the extent that accused-respondent Surendra Kumar Gyani has been

discharged from the offence under Sections 420 and 406 IPC, this revision petition has been preferred by the complainant-petitioner.

Having heard learned counsel for the complainant-petitioner, learned Public Prosecutor for the State as well as learned counsel for the accused-respondent and upon careful perusal of the impugned order as also the relevant record, I find no illegality at this stage which requires any interference in the impugned order dated 25.01.2001 by this Court while exercising revisionary powers. The complainant-petitioner is always at liberty if after adducing the evidence any case is made out against accused-respondent Surendra Kumar Gyani, he can move proper application before the competent Court for taking cognizance and framing charge against the accused-respondent, but in any case this is not a stage which requires any interference.

Consequently, the revision petition fails and the same is hereby dismissed.

Record be sent back forthwith.

(K.S. RATHORE),J.

/KKC/